

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
DECEMBER 7, 1960

This regular meeting of the City Council of the City of Lodi held beginning at 8:00 p.m. of Wednesday, December 7, 1960. Councilmen Brown, Katzakian, Mitchell, Ullmann and Culbertson (Mayor) present; none absent.

Also present: City Manager Graves, Administrative Assistant Carlton, City Attorney Mullen and Planning Director Rodgers.

MINUTES Minutes of November 16, 1960 were approved as written and mailed on motion of Councilman Katzakian, Brown second.

PUBLIC HEARINGS

PARKING LOT AT 411 W. OAK Notice thereof having been published in accordance with law, Mayor Culbertson called for public hearing on the appeal of property owners in the 400 block of West Oak Street from the decision of the City Planning Commission in granting a use permit to Mr. George Aberle to establish an off-street parking area at 411 West Oak Street in the R-4 Residence District. Mr. Graves read the report of the Planning Commission giving its reason why the use permit was granted. Mr. Leslie Focacci, 700 North Roper Avenue, stated that a parking lot at the above mentioned site would depreciate the value of the surrounding residential property, that the property immediately west of 404 West Pine Street belonging to Mr. Aberle should be used instead and that the lot on Oak Street would become a traffic hazard because of the high school students. Mr. and Mrs. Harold Diehl, 406 West Oak Street, both commented that the high school students would be driving through the lots, creating hazards. Miss Ida Rinn, 410 West Oak Street, said that she objected to the parking lot because it would spoil the appearance of the residential area. There were no further statements in behalf of the appeal, either written or oral. A letter was read from Mr. George Aberle stating that off-street parking, properly landscaped and controlled, would improve the area and increase values, especially in consideration of the usage permitted in the R-4 zone; that since there would be a front lawn area and plantings, the appearance of the property would be very close to that of the adjoining properties; that the development of an off-street parking lot would reduce traffic problems and congestion; that it would provide "close by" parking for the professional offices directly to the rear at 404 West Pine Street; and that using the lot for off-street parking under a use permit would be preferable to having a professional office building with off-street parking which is permitted in the R-4 zone. The Council then discussed the need for additional off-street parking, the allowable uses in R-4 zones, the proposed appearance for the parking lot and the advantage of having it regulated under a use permit. Councilman Brown moved that the appeal be denied and that the decision of the Planning Commission granting a use permit for an off-street parking lot at 411 West Oak Street be upheld. The motion was seconded by Councilman Ullmann and carried unanimously.

BERTSCH  
APPEAL  
DENIED

Notice thereof having been published in accordance with law, Mayor Culbertson called for public hearing on the appeal of Mr. Tim Bertsch from the decision of the Planning Commission in denying his request for a variance to reduce the required street frontage for property in the R-3 multiple family residential zone so as to permit ten dwelling units to be constructed at 220 West Turner Road. The City Manager read the report from the City Planning Commission which had denied his request since Mr. Bertsch was aware of the zoning regulations when he subdivided the property and no unreasonable hardship could be found. He then read the appeal of Mr. Bertsch which stated that there was too much land to be used for eight units as it would leave too much lawn area; that the best use of the property is for apartments; and that it would be detrimental to develop the property with only eight units. On motion of Councilman Katzakian, Mitchell second, the Council sustained the action of the Planning Commission and rejected the appeal of Mr. Bertsch for a variance to reduce the street frontage at 220 West Turner Road.

STADIUM WAY  
CHANGED TO  
CALAVERAS ST.  
RES. NO. 2390  
ADOPTED

Notice thereof having been published in accordance with law, the Mayor called for public hearing on the Council's proposal to change the name of Stadium Way to Calaveras Street and the naming of the street on the east side of Lawrence School property Calaveras Street also. There were no protests, written or oral. The City Manager showed the Council a sketch of the streets involved and explained why the change would be advantageous. Councilman Brown, Katzakian second, moved the adoption of Resolution No. 2390 changing the name of Stadium Way to Calaveras Street and designating the unnamed street east of the Lawrence School property as Calaveras Street. The motion passed by unanimous vote.

LOWE'S VILLAGE  
LIGHTING DIST.  
RES. NOS. 2391,  
2392 AND 2393  
ADOPTED

The Mayor then called for public hearing on the intention to construct street lights in the Lowe's Village Street Lighting District, notice of which had been published in accordance with law. There were no protests written or oral. On motion of Councilman Brown, Katzakian second, the City Council adopted Resolution No. 2391 overruling protests; on motion of Councilman Katzakian, Mitchell second, the Council adopted Resolution No. 2392 ordering the work; and on motion of Councilman Mitchell, Brown second, the Council adopted Resolution No. 2393 directing the assessment be prepared.

CARDINAL-  
RIBIER ST.  
LIGHTS  
RES. NO. 2394  
ADOPTED

Mayor Culbertson called for public hearing on the completion of and the assessment on the Cardinal-Ribier Street Lighting District, notice thereof having been published in accordance with law. On motion of Councilman Brown, Katzakian second, the Council adopted Resolution No. 2394 confirming the assessment on the Cardinal-Ribier Street Lighting District which was at the rate of \$1.54 per front foot.

#### COMMUNICATIONS

PETITION  
AGAINST  
HARRISON  
REZONING

Petition against the adoption of Ordinance No. 683 (rezoning the property on the west side of Ham Lane between Lodi Avenue and Walnut Street to C-1 Neighborhood-Commercial) passed by the

City Council on November 2, 1960, and requesting the Council to reconsider said ordinance and the adoption thereof, and if said ordinance is not repealed, that the Council submit the same to the voters of the City in accordance with the Elections Code. The petition was received by the City Clerk on December 1, 1960 which postponed the effective date of the ordinance in accordance with Section 1771 of the Elections Code. The petition has been certified by R.E. Graham, County Clerk, as containing the signatures of 1,305 qualified registered electors which is sufficient to require action thereon by the City Council. City Attorney Mullen stated that in accordance with State law the Council shall either repeal the ordinance or hold an election thereon within a reasonable length of time. Councilman Brown moved that the action of the City Council on November 2, 1960, adopting Ordinance No. 683 be sustained. The motion was seconded by Councilman Mitchell and carried by unanimous vote. The City Attorney then suggested that the setting of a date for a special election be postponed until the County Clerk's Office could be contacted since the cooperation of the County will be needed to conduct the election. Councilman Mitchell, Brown second, moved that setting a date for holding a special election be postponed until the meeting of December 21, 1960. Motion carried.

#### REPORTS OF THE CITY MANAGER

CLAIMS	Claims in the amount of \$150,740.34 were approved on motion of Councilman Brown, Ullmann second.
AWARD - CONCRETE PIPE	City Manager Graves presented the two bids which had been received for concrete pipe, a bid from J.W. Mumbert Concrete Pipe Company for a total of \$4,411.80 and a bid from Spiekerman Concrete Pipe Company for a total of \$4,350.00. The bid of Spiekerman Concrete Pipe Company was accepted by the adoption of Resolution No. 2395 on motion of Councilman Katzakian, Mitchell second.
RES. NO. 2395 ADOPTED	
CROSSWALKS AT SCHOOL AND CHESTNUT STS	The City Manager reported that a recommendation had been received from the Department of Public Works that white crosswalks be painted across School Street on the south side of Chestnut Street and across Chestnut on the east side of School Street which is in the vicinity of Needham School. After discussing "white" and "yellow" crosswalks, the Council adopted Resolution No. 2396 establishing school (yellow) crosswalks across the streets recommended, on motion of Councilman Katzakian, Mitchell second.
RES. NO. 2396 ADOPTED	
NO PARKING CHERRY E. OF GARFIELD	The City Manager then presented a recommendation from the Department of Public Works that parking be prohibited on the south side of Cherry Street east of Garfield Street since it is a 20-foot wide street which makes traffic hazardous when vehicles are parked on both sides of the street. On motion of Councilman Katzakian, Brown second, the Council adopted Resolution No. 2397 establishing a no parking zone on the south side of Cherry Street east of Garfield.
RES. NO. 2397 ADOPTED	

SPECS - Specifications for a tractor-loader-backhoe combination were approved and call for bids authorized on motion of Councilman Katzakian, Mitchell second.

TRACTOR-  
BACKHOE

CHEROKEE DITCH Mr. Graves stated that deeds had been received from Orrin D. Kettelman, et ux, and from Margaret K. Harvey for the Cherokee Ditch right of way and the right of way contracts for each parcel were ready for acceptance by the City. The contracts provide that the Kettelman's will be paid \$980.00 for their parcel and that Mrs. Harvey will receive \$6,685.00. On motion of Councilman Katzakian, Mitchell second, the City Council approved the right of way contract with Orrin D. Kettelman, et ux, and the right of way contract with Margaret K. Harvey for the above mentioned considerations.

RIGHT OF WAY

TURNER ROAD Mr. Graves then presented letters stipulating conditions and deeds covering rights of way for the Turner Road Underpass. The first was a letter and two deeds from Ethel, Jay and Eloise Loveless. One deed is for a temporary right of way which is needed to construct a shoe fly for use during construction of the Underpass. In accepting the deeds the City is to pay \$1,980.00 to the property owners, remove vines necessary for making a turning area on the Loveless property, pay escrow fees and permit access to Turner Road; the City is also to pay costs of restoring the land described in the temporary deed to substantially the same condition as it now is. Next was a letter and a deed from Westwarehouses, Inc. In accepting the deed the City will agree to pay the costs of new pavement, curb, gutter and sidewalk and any extra expenses which might be involved in moving grain now stored in one of the warehouses because of the underpass construction. A letter and a deed from United Vintners, Inc., successor to Italian Swiss Colony, were then submitted with the proviso that the City will pay the costs for paving, curb, gutter and sidewalk and also for installation of a new driveway at the location of the present driveway on the property on Turner Road. Last was a letter and a deed from United Vintners, Inc., successor to Allied Wine Company. The letter stipulates that in accepting the deed the City will agree to pay cost of installing paving, curb, gutter and sidewalk, to pay the cost of installing asphalt paving and driveways in certain stated locations, will install signs indicating a truck crossing, will pay \$2,265.00 to the Company to have the dwelling on the property moved and the fence relocated, and will pay the cost of relocating the spur track serving the property. The Council unanimously approved the conditions set forth in the letters and authorized the City Clerk to accept the deeds above mentioned on motion of Councilman Katzakian, Mitchell second.

UNDERPASS  
RIGHTS OF WAY

SPECS - Specifications for cement asbestos water pipe were approved and advertising for bids authorized on motion of Councilman Brown, Ullmann second.

WATER PIPE

SPECS - Specifications for painting various portions of the interior of the City Hall, the interior of the two firehouses, and the exterior trim on the Lodi Avenue Fire House were approved and advertising for bids authorized on motion of Councilman Brown, Katzakian second.

PAINTING

CIVIC CENTER Mr. Graves reported that Mrs. Viola Reiswig, 13 North Church Street, had indicated that she intended to make some improvements on her building at the above address. Her property is included in the area designated as a Civic Center site. After discussing the advisability of purchasing Mrs. Reiswig's property and the adjoining market at this time or waiting until the property is needed, the Council decided not to purchase it at this time. Mayor Culbertson suggested that an architect might be hired to give the City preliminary plans of what might be wanted in a Civic Center. On motion of Councilman Katzakian, Mitchell second, the City Manager was instructed to submit at the next Council meeting his recommendation of an architect to make a general plan for the Civic Center.

## ORDINANCES

REZONE NW COR ORDINANCE NO. 686, entitled "AMENDING THE OFFICIAL  
CHURCH & ELM DISTRICT MAP OF THE CITY OF LODI AND THEREBY  
TO C-2 REZONING PROPERTY ON THE NORTHWEST CORNER OF ELM  
AND CHURCH STREETS TO BE IN THE C-2 GENERAL COM-  
MERCIAL ZONE," having been introduced at the  
ORD. NO. 686 regular meeting of November 16, 1960, was brought  
ADOPTED up for passage on motion of Councilman Katzakian,  
Brown second. Second reading was omitted after  
reading by title, and was then passed, adopted  
and ordered to print by the following vote:

AYES: Councilmen - Brown, Katzakian, Mitchell,  
Ullmann and Culbertson

NOES: Councilmen - None

ABSENT: Councilmen - None

REZONE ORDINANCE NO. 687, entitled "AMENDING THE OFFICIAL  
301 N. PLEASANT DISTRICT MAP OF THE CITY OF LODI AND THEREBY RE-  
TO C-P ZONING LOT 3, KIRST ESTATES NO. 2 TO BE IN THE  
C-P COMMERCIAL-PROFESSIONAL OFFICE DISTRICT,"  
ORD. NO. 687 having been introduced at the regular meeting of  
ADOPTED November 16, 1960, was brought up for passage on  
motion of Councilman Mitchell, Katzakian second.  
Second reading was omitted after reading by title,  
and was then passed, adopted and ordered to print  
by the following vote:

AYES: Councilmen - Brown, Katzakian, Mitchell,  
Ullmann and Culbertson

NOES: Councilmen - None

ABSENT: Councilmen - None

Council adjourned on motion of Councilman Katzakian.

*Beatrice Garibaldi*  
ATTEST: BEATRICE GARIBALDI  
City Clerk